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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) Criminal No. CR 05-00383 PJH  
Plaintiff, )  
v. )  
LONNIE WILLIAMS, )  
Defendant. )  
**STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME**

The above-captioned matter came before the Court on February 22, 2006, for decision on motions and for trial setting. The defendant, Lonnie Williams, who was present, was represented by Mark Rosenbush, Esq., and the government was represented by Richard J. Cutler, Assistant United States Attorney. After the court denied defendant's motion to suppress his post-arrest statements, the court set the trial for Monday, March 27, 2006, at 8:30 a.m. with a pretrial conference set for March 15, 2006, at 8:30 a.m.

**STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME - DEFENDANT - LONNIE WILLIAMS  
CR 05-00383 PJH**

1 Subsequent to this appearance, the government discovered that San Francisco Police  
2 Officer Joshua Kumli, one of two officers who initially confronted and arrested defendant  
3 and the only witness to see defendant in possession of the Glock handgun, is unavailable  
4 for two weeks beginning March 27, 2006. Officer Kumli is an essential witness for the  
5 government and is unavailable for the current trial date. Based on this unavailability, the  
6 court was contacted and a new trial date of April 10, 2006, at 8:30 a.m. was set with the  
7 pretrial conference set for March 29, 2006, at 8:30 a.m.  
2:30 p.m.

8 The parties agree and stipulate that the continuance from March 27, 2006, until and  
9 through April 10, 2006, is appropriate and necessary because Officer Kumli, an essential  
10 witness for the government, will be unavailable to testify for two weeks beginning  
11 March 27, 2006. Additionally, the parties agree and stipulate that the period of time from  
12 March 27, 2006, to and through April 10, 2006, should be excluded from the seventy-day  
13 speedy trial calculation under 18 U.S.C. § 3161(c)(1) due to the unavailability of an  
14 essential government witness, as provided for in 18 U.S.C. § 3161(h)(3)(A), and because  
15 the ends of justice served by this continuance outweigh the best interest of the public and  
16 the defendant in a speedy trial.

17  
18 DATED: 1/18/06

/S/  
MARK ROSENBUSH, ESQ.  
Counsel for DEFENDANT  
LONNIE WILLIAMS

21  
22 DATED: 1/18/06

/S/  
RICHARD J. CUTLER  
Assistant United States Attorney

24 SO ORDERED.

26 DATED: 2/27/06

28 STIPULATION AND [PROPOSED]  
ORDER EXCLUDING TIME - DEFENDANT - LONNIE WILLIAMS  
CR 05-00383 PJH

